

C.13

MEMO TO: City Council

FROM: Rosemarie Ives, Mayor

DATE: April 19, 2005

SUBJECT: **ORDINANCE: CORRECTION FOR REDMOND TOWN CENTER ANNEXATION**

I. RECOMMENDED ACTION

By motion adopt the attached ordinance to correct the Redmond Town Center Annexation. (Attachment A).

II. DEPARTMENT CONTACT PERSONS

Roberta Lewandowski, Director, Planning and Community Development, 425-556-2447
Rob Odle, Planning Policy Manager, 425-556-2417
Dianna Broadie, Senior Planner, 425-556-2414

III. DESCRIPTION/BACKGROUND

Using Geographic Information System (GIS) mapping software, an annexation history map was created. This effort was to allow quick and easy answers to questions on property research, which the City periodically receives, as well as to ensure accurate identification of exact City boundaries at any given time. The process involved plotting each annexation according to the legal descriptions from the annexation ordinances. In the course of this research, an ambiguity was discovered in the legal description to the Redmond Town Center annexation. It refers to the annexation boundary as the southerly margin of Leary Way (see map, Attachment B), and at the same time refers to that margin as being the existing City limits (see excerpt from legal description, Attachment C). The extent of the previous annexation was only to the northerly boundary, leaving an ambiguity as to whether the annexation of the roadway took place. This ordinance will correct the legal description to match the original intent of the annexation and remove the ambiguity.

IV. IMPACT

A. Service Delivery: There is no effect on service delivery.

B. Fiscal: There is no fiscal effect.

V. ALTERNATIVES TO STAFF RECOMMENDATION

A. The Council could do nothing. The ambiguity would continue to exist. If a challenge arose concerning any actions affecting that portion of roadway, the City would be in a position of having to defend the intent of the original annexation.

VI. TIME CONSTRAINTS

There are no time constraints.

VII. LIST OF ATTACHMENTS

Attachment A: Ordinance correcting legal description for Redmond Town Center annexation.

Attachment B: Map illustrating ambiguity

Attachment C: Excerpt from legal description

/s/
Roberta Lewandowski, Planning Director

4/8/05
Date

Approved for Council Agenda: /s/
Rosemarie Ives, Mayor

4/11/05
Date

ATTACHMENT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE LEGAL DESCRIPTION FOR THE REDMOND TOWN CENTER ANNEXATION, AS ORIGINALLY WRITTEN IN ORDINANCE NO. 1551, TO READ AS SET FORTH IN EXHIBIT A OF THIS ORDINANCE AND AS ILLUSTRATED ON THE MAP, EXHIBIT B, OF THIS ORDINANCE.

WHEREAS, on March 20, 1990, the City of Redmond held a public hearing and approved the annexation of an area commonly known as the Redmond Town Center Annexation, subject to approval of the Washington State Boundary Review Board for King County; and

WHEREAS, the BRB approved the annexation on December 10, 1987; and

WHEREAS, upon mapping previous annexations based on each annexation's legal description in the City's Geographic Mapping System software, an ambiguity was noted in the legal description of the Redmond Town Center annexation, wherein the intended annexation boundary could be considered to be either the southeasterly or the northwesterly margin of Leary Way; and

WHEREAS, it is clear that the intent of the annexation was to include Leary Way; and

WHEREAS, the revised legal description in Exhibit 1 properly describes the physical boundaries that the Council intended to annex, as shown on the map, Exhibit 2; now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Legal description amended. The legal description, as written in Ordinance No. 1551 of the City of Redmond, passed by the City Council on March 20, 1990, is hereby amended to read as set forth in Exhibit 1 and illustrated on the map in Exhibit 2, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Duties of the City Clerk. The City Clerk is hereby directed to file a certified copy of this ordinance, together with the attached Exhibit 1, with the King County Council.

Section 3. Effective Date. This ordinance, being the exercise of a power specifically delegated to the legislative body of the City, is not subject to referendum, and shall take effect and be in full force five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

ROSEMARIE IVES, MAYOR

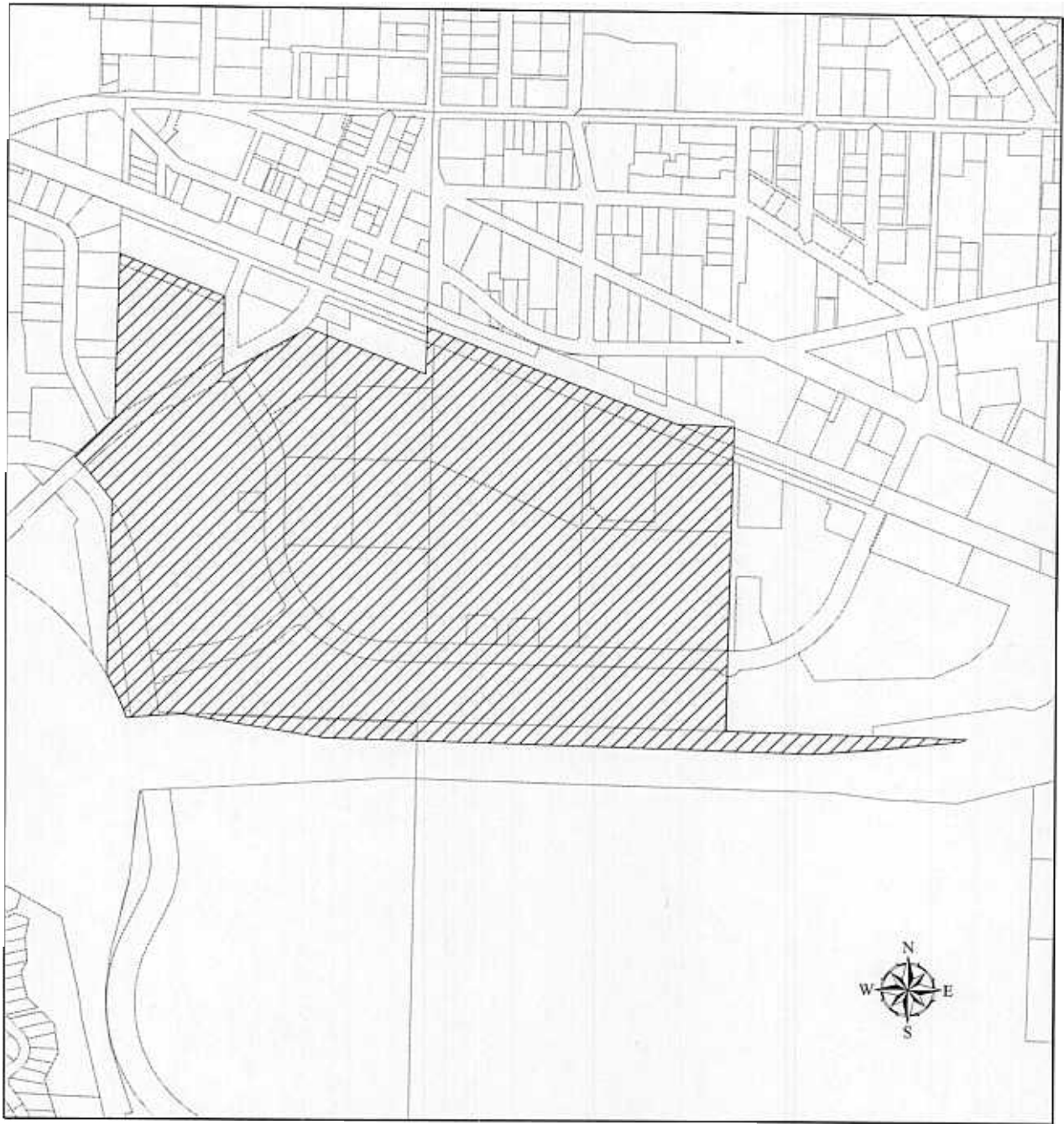
ATTEST/AUTHENTICATED:

BONNIE MATTSON, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By:_____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____



0 600 1,200 2,400 3,600 4,800 Feet

Legend


 Town Center Annexation

Exhibit 2

ATTACHMENT C

along the North line of said Southwest quarter of the Northwest quarter North $88^{\circ}51'32''$ West 245.86 feet to the Southerly right-of-way margin of the Northern Pacific Railway Company; thence along said Southerly margin North $69^{\circ}07'42''$ West 1146.97 feet to the West line of said Northwest quarter of Section 12; thence along said West line South $01^{\circ}02'57''$ West 201.97 feet to the True Point of Beginning.

Containing 4,421,147 square feet.



Together with that portion of the Southwest quarter of the Northeast quarter of said Section 11 lying Southeasterly of the southeasterly margin of County Road No. 574 (aka Leary Way N.E., State Aid Road No. 56), said margin being also the City limits of Redmond, and lying northeasterly of the northeast boundary of Drainage District No. 3, said boundary being also the City limits of Redmond as established by Redmond Ordinance No. 187.